

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

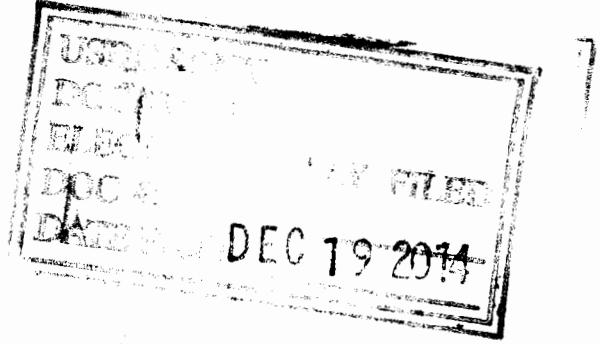
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MARK I. SOKOLOW, et al.,

Plaintiffs,

-against-

PALESTINE LIBERATION ORGANIZATION and:
PALESTINIAN AUTHORITY,

Defendants.



ORDER

04 Civ. 397 (GBD)

GEORGE B. DANIELS, United States District Judge:

Plaintiffs move to overrule Defendants' authenticity and hearsay objections to 177 proposed trial exhibits. (ECF No. 526.)

Defendants' remaining objections to the authenticity of forty-three trial exhibits produced from its own files are OVERRULED. With respect to Defendants' objections to two trial exhibits that Plaintiffs located themselves, (Exs. 233 and 326), those exhibits are only admissible to the extent that Plaintiffs can meet their independent burden of laying the proper foundation at trial for admissibility.¹

To address Defendants' additional objections, this Court ordered Plaintiffs to identify as to each exhibit what statements they would like to put before the jury, and Defendants to identify as to each exhibit what statements they object to coming before the jury on grounds of hearsay or otherwise. (*See* Tr. 143:4-147:5, July 21, 2014.)

¹ Defendants withdraw their objection on authenticity grounds to Exhibit 317A, which they produced in another litigation. This exhibit is therefore admissible as ordered redacted by this Court on the record at the December 16, 2014 conference.

Having reviewed the exhibits and statements identified by the parties, it is hereby ORDERED:

To the extent Defendants object to statements that Plaintiffs did not indicate that they would like to put before the jury, those objected-to statements shall be redacted in the relevant exhibits.

To the extent any of the exhibits are addressed by this Court's December 18, 2014 Orders (ECF Nos. 671 and 672) regarding records of convictions and inculpatory statements by unavailable witnesses against third parties, those exhibits shall be excluded or redacted consistent with those Orders.

With regard to the following exhibits, Defendants have a valid admissibility objection, and those exhibits shall be redacted to exclude statements attributed to the media (Ex. 17), confession statements implicating third parties (Ex. 135), and statements from newspaper articles (Ex. 164).

Defendants' objections are otherwise OVERRULED.

Dated: December 19, 2014
New York, New York

SO ORDERED:


GEORGE B. DANIELS
United States District Judge